

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES NERO,

Petitioner,

v.

DAVID J. EBBERT,

Respondent.

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1:19-cv-0486

Hon. John E. Jones III

**ORDER**

**May 17, 2019**

NOW THEREFORE, upon consideration of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, and for the reasons set forth in the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DISMISSED for lack of subject matter jurisdiction.
2. Petitioner's "motion for summary judgment" (Doc. 8) is DENIED.
3. The dismissal is without prejudice to Petitioner's ability to pursue his claims in a properly filed civil rights action.
4. The Clerk of Court is directed to CLOSE this case.

  
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John E. Jones III  
United States District Judge